

THE HONORABLE BRIAN D. LYNCH
Chapter 7
Hearing Date: Wednesday, August 31, 2011
Hearing Time: 11:00 a.m.
Response Date: August 30, 2011

UNITED STATES BANKRUPTCY COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

In Re:

SUSAN FAYE DONES

Debtor.

Bankruptcy No. 10-45608-BDL

Adversary No. 10-04338-BDL

NXIVM CORPORATION, a Delaware
corporation,

Plaintiff,

vs.

SUSAN FAYE DONES
Defendant.

**PLAINTIFF NXIVM
CORPORATION'S NOTICE OF
HEARING OF NXIVM'S
RESPONSE TO TONI FOLEY'S
SUBMISSION IN REGARD TO
ORDER TO SHOW CAUSE AND
NXIVM'S CROSS-MOTION TO
STRIKE AND SEAL**

NXIVM CORPORATION, a Delaware
corporation,

Plaintiff,

vs.

KIM MARIE WOOLHOUSE
Defendant.

Adversary No. 10-04339-BDL

PLEASE TAKE NOTICE that NXIVM Corporation, by and through its counsel,
LANE POWELL PC, has filed a Response to Toni Foley's Submission in Regard to Order to
Show Cause and NXIVM's Cross-Motion to Strike and Seal.

NOTICE OF RESPONSE TO FOLEY SUBMISSION
AND CROSS-MOTION TO STRIKE AND SEAL - 1

LANE POWELL PC
1420 FIFTH AVENUE, SUITE 4100
SEATTLE, WASHINGTON 98101-2338
206.223.7000 FAX: 206.223.7107

1 NXIVM has requested that the Court grant the motion to shorten time and order a
2 hearing date of Wednesday, August 31, at 11:00 a.m. NXIVM seeks this relief because the
3 Court will be holding a telephonic conference on August 31, 2011 to discuss its pending Order
4 to Show Cause (Docket No. 213). NXIVM also seeks this relief to prevent further
5 dissemination of scandalous, immaterial, and impertinent allegations.

6 **PLEASE TAKE FURTHER NOTICE** that a **hearing will be held on Wednesday,**
7 **August 31, 2011, at 11:00 a.m.,** or as soon thereafter as the matter may be heard, before the
8 Honorable Brian D. Lynch, United States Bankruptcy Court, Union Station, 1717 Pacific Ave.,
9 Tacoma, WA 98402-3233, with respect to NXIVM Corporation's Response to Toni Foley's
10 Submission in Regard to Order to Show Cause and NXIVM's Cross-Motion to Strike and Seal.

11 **PLEASE TAKE FURTHER NOTICE** that **any party wishing to object to the**
12 **response and cross-motion** must (1) file a written objection with the Court at United States
13 Bankruptcy Court, Union Station, 1717 Pacific Ave., Tacoma, WA 98402-3233; and (2) deliver
14 copies to NXIVM's counsel at Lane Powell PC, Attn. Paul D. Swanson, 1420 Fifth Ave., Ste.
15 4100, Seattle, WA 98101, **no later than the RESPONSE DATE, which is August 30, 2011.**

16 **PLEASE TAKE FURTHER NOTICE** that **if no response is timely filed and served,**
17 the Court may, in its discretion, without further notice prior to the hearing, grant the relief
18 requested in the response and cross-motion.

19 DATED: August 29, 2011.

20 LANE POWELL PC

21
22 /s/Tiffany Scott Connors

23 Paul D. Swanson, WSBA No. 13656
24 Tiffany Scott Connors, WSBA No. 41740
Attorneys for NXIVM Corporation

25 Robert D. Crockett, admitted *pro hac vice*
26 Latham & Watkins, LLP
355 S. Grand Avenue
27 Los Angeles, CA 90071-1560

NOTICE OF RESPONSE TO FOLEY SUBMISSION
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Richard H. Weiskopf, admitted *pro hac vice*
Pamela A. Nichols, admitted *pro hac vice*
O'Connell & Aronowitz PC
54 State Street
Albany, NY 12207

NOTICE OF RESPONSE TO FOLEY SUBMISSION
AND CROSS-MOTION TO STRIKE AND SEAL - 3

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CERTIFICATE OF SERVICE

I hereby certify that on August 29, 2011, I caused to be served a copy of the foregoing document on the following person(s) in the manner indicated below at the following address(es):

Susan Faye Dones (**via electronic mail and first class mail**)
616 9th Ave. SW
Puyallup, WA 98371
Email: call2action@msn.com

Kim Marie Woolhouse (**via electronic mail and first class mail**)
616 9th Ave. SW
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Email: kimwoolhouse@msn.com

Toni Foley (**via electronic mail and first class mail**)
13 Santa Circle
Pittsford, NY 14534
Email: tonifoley58@gmail.com

Richard H. Weiskopf (admitted <i>pro hac vice</i>)	<input checked="" type="checkbox"/>	by CM/ECF
O'Connell & Aronowitz PC	<input type="checkbox"/>	by Electronic Mail
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Albany, NY 12207	<input type="checkbox"/>	by First Class Mail
rweiskopf@Oala.com	<input type="checkbox"/>	by Hand Delivery
	<input type="checkbox"/>	by Overnight Delivery

Robert D. Crockett (admitted <i>pro hac vice</i>)	<input checked="" type="checkbox"/>	by CM/ECF
Latham & Watkins, LLP	<input type="checkbox"/>	by Electronic Mail
355 S. Grand Avenue	<input type="checkbox"/>	by Facsimile Transmission
Los Angeles, CA 90071-1560	<input type="checkbox"/>	by First Class Mail
Bob.crockett@lw.com	<input type="checkbox"/>	by Hand Delivery
	<input type="checkbox"/>	by Overnight Delivery

/s/Todd Ziegenbein
Todd Ziegenbein

NOTICE OF RESPONSE TO FOLEY SUBMISSION
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